

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
MARCH 18, 2013
6:00 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:00 p.m., Commissioners' Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Phil Norris, Chairman
Commissioner Pat Sykes
Commissioner Scott Phillips
Commissioner Frank Williams

ABSENT: Commissioner J. Marty Cooke, Vice-Chairman

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Bryan Batton, Assistant County Attorney
Debby Gore, Clerk to the Board
Ann Hardy, Fiscal Operations Director

I. CALL TO ORDER

Chairman Norris called the meeting to order at 6:00 p.m. Commissioner Phillips moved to enter Closed Session at 6:00 p.m. pursuant to NCGS 143-318.11 (a) (3) to consult with the Attorney to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action. The vote of approval was unanimous.

Chairman Norris called the Regular Session to order at 6:30 p.m. and the Attorney announced that no action was taken in Closed Session but direction was given that will be made public upon response from the opposing party.

(Attached to these Minutes is an item called Board Action containing all items on this agenda and those items are incorporated herein.)

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Phillips gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Norris asked if there were any adjustments to the agenda. The following adjustments were made:

1. Commissioner Sykes requested to move Item V-H and V-J from the Consent Agenda to be presented under Administrative report as Item 1 (a) and VI-7.
2. Huey Marshall, County Attorney, requested to add an amendment to the Special Assessment Resolution #24, (Sunset Beach), a miniscule change to provide that the first year of the financing of the assessment for sewer would be interest free.

Commissioner Williams moved to approve the agenda as amended. The vote of approval was unanimous.

IV. PUBLIC COMMENTS

Chairman Norris asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. The following citizens addressed the Board:

1. Dan Lichty, addressed the Board discussing an item that is now under litigation. Mr. Marshall asked Mr. Lichty if he had communicated with his attorney and Mr. Lichty answered that his attorney did not want him to be here but he wanted to read his comments since this was the public comment section. Mr. Marshall indicated that the appropriate forum would be in a courtroom for this type of discussion and Mr. Lichty continued to read his comments.

V. APPROVAL OF CONSENT AGENDA

Commissioner Williams moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

A. **Minutes**

1. **January 29, 2013 Agenda Meeting Minutes**
2. **February 18, 2013 Regular Meeting Minutes**
3. **February 26, 2013 Agenda Meeting Minutes**
4. **March 4, 2013 Regular Meeting Minutes**

B. **Tax**

1. **Tax Releases for March 2013**
2. **November 2012 Motor Vehicle Valuation & Levy**
3. **February 2013 Tax Collection Report**

C. **Finance**

Grant Fund-Rural Center Inpatient Hospice Care Center Grant

Revenues:

RC-Inpatient Hospice Care Center	238176-332079	\$(8,000)
State Revenue Restricted		

Expenditures:

RC-Inpatient Hospice Care Center	238176-449995	\$(8,000)
Grant Expenditures		

The budget amendment above is to reduce the Rural Center Inpatient Hospice Care Center Grant in the amount of \$8,000. The grant was written for the creation of 10 full time jobs, however only 9 full time positions were created at the Inpatient Hospice Care Center and the Rural Center reimburses on a per job basis.

DSS Fund

Revenues:

Child Support Enforcement Incentives	145310-331028	\$(88,922)
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Expenditures:

Salary & Wages – Regular	145310-412100	\$(88,922)
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The budget amendment above is to reduce the federal child support enforcement incentives by \$88,922 to correspond with funding authorization received from DHHS reducing revenue to \$69,159 from the original budget projection of \$158,000.

Schools Capital Projects Fund

Revenues:

NC Education Lottery Funds	428006-332850	\$1,360,000
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Expenditures:

NC Education Lottery Funds	428006-464103	\$1,360,000
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The budget amendment above is to appropriate NC Education Lottery Funds approved by the State Board of Education for the Leland Middle School Metal Roof Retrofit. This project was previously approved by the Board of Commissioners and the Board of Education.

**County of Brunswick, North Carolina
Brunswick County Schools Capital Project Fund**

Be it ordained by the Board of County Commissioners of Brunswick County that pursuant to Section 13.2 of the General Statutes of North Carolina, the following ordinance is hereby adopted:

Section 1. The following amounts are hereby appropriated in the Brunswick County Schools Capital Project Fund:

Schools Capital Project Fund:

Revenues:

NC Education Lottery	\$6,071,142
Investment Earnings	\$9,907
Transfer from General Fund	\$7,259,157
Transfer from Special School Capital Reserve	\$3,628,226
Transfer from School Capital Reserve	\$13,832,255
Fund Balance Appropriated	<u>\$6,542,506</u>
Total Schools Capital Project Fund Revenues	\$37,343,193

Expenditures:

Excess Ad Valorem Funded Schools Projects	\$8,343,933
Local Option Sales Tax Funded School Projects	\$17,698,167
GF Hold Harmless Medicaid Swap Funded Projects	\$372,871
NC Education Lottery School Projects	\$6,071,142

Current Year Estimated Excess Ad Valorem Agreement Contingency	\$678,453
Ad Valorem Contingency	\$3,493,314
Sales Tax Contingency	\$371,300
Transfer to General Fund	<u>\$314,013</u>
Total Schools Capital Project Fund Expenditures	\$37,343,193

Section 2. The following amounts are hereby appropriated in the Brunswick County General Fund:

Contributions to the Capital Project Fund	\$7,259,157
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Section 3. It is estimated that the following revenues will be available in the Brunswick County General Fund:

Current Funds Appropriated	\$7,259,157
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Section 4. This Capital Project Ordinance shall be entered into the minutes of the March 18, 2013 meeting of the Brunswick County Board of Commissioners.

D. Child Fatality Prevention Team (CFPT) Annual Activity Summary Report for 2011 & 2012

Staff requests Receiving Child Fatality Protection Team Annual Activity Report for the Calendar Years of 2011 and 2012 as information.

E. Brunswick County Health and Human Services – Proposed State Consolidated Agreement for 2013-2014

Staff requests approving the State Consolidated Agreement between the State of North Carolina and Brunswick County Health and Human Services for FY 2013-2014.

F. EMS – Proposed Hazardous Materials Emergency Planning (HEMP) Grant Agreement

Staff requests approving the Hazardous Materials Emergency Planning (HEMP) Grant Agreement between Brunswick County and the North Carolina Department of Public Safety and the Associated FY 2012-2013 Budget Amendment.

G. EMS – Proposed Supplemental Emergency Management Performance Grant (EMPG) Memorandum of Agreement Amendment for Brunswick County

Staff requests approving Supplemental Emergency Management Performance Grant Memorandum of Agreement and the Associated Budget Amendment.

H. Planning – Proposed Re-Allocation of funding to replace existing single-wide mobile home located at 927 J-N-E-Lane, Shallotte with a donated stick-built home.

(Moved to Administrative Report as Item 1(a) under Adjustments to the Agenda)

Staff requests Reallocation of \$19,874 and an additional application of \$21,589 from unallocated CDBG Administrative funds to replace home at 927 J-N-E Lane in Shallotte.

I. Administration – Cape Fear Regional Jetport request to advance funds for construction of an Aircraft Storage Building.

Staff requests to approve the Use of Previously Appropriated Funds for the Construction of a 100' x 100' Aircraft Storage Building.

**J. Parks & Recreation – Eastern Environmental Inc. Service Agreement
(Moved to Administrative Report as Item VI-7 under Adjustments to the Agenda)**

Staff requests approving the service agreement with Eastern Environmental, Inc.

**K. Resolution for Amending the Sunset Beach SAD #24
(Added under Adjustments to the Agenda)**

**RESOLUTION FOR AMENDING THE SUNSET BEACH
AREA SPECIAL SEWER ASSESSMENT RESOLUTION
(SPECIAL ASSESSMENT # 24)**

The Brunswick County Board of Commissioners in regular session, duly assembled on March 18, 2013, do hereby resolve as follows:

1. That the assessment resolution enacted pursuant to the provisions of North Carolina General Statute 153A-185, *et seq.* on February 18, 2013, except as amended herein, is still in full force and effect.

2. That the Brunswick County Board of Commissioners has directed its staff to amend the seventh (7th) paragraph of that Resolution as follows, to wit:

“7. The proposed terms of payment shall be payment in full thirty (30) days following the date of the publication of notice of the confirmation of the assessment roll, and if such payment is received in full, the total amount due will be reduced by five percent (5%). If such payment in full (in its entirety) is received within three hundred sixty five (365) days, then no interest will be charged. If such payment in full (in its entirety) is not received within three hundred sixty five (365) days, then the balance due shall be divided into ten (10) annual installments, each installment bearing with simple interest accruing from July 1, 2013, at the annual rate of 0.0391/hundredths (3.91 % interest) for the next successive ten (10) years, with each annual installment due on or about July 1 of each successive year until the assessment is paid in full. Any annual installment not paid by June 30 of each successive year is considered delinquent and any and all delinquent balances will be collected by all lawful means.”

3. A public hearing on this matter is set for April 8, 2013, at 5:30 p.m. in the Odell Williamson Auditorium on the campus of Brunswick Community College, 50 College Road, NE, near Supply, North Carolina. Said hearing is unaffected by this amendment.

This the 18th day of March, 2013.

BRUNSWICK COUNTY BOARD OF COMMISSIONERS

s/Phil Norris, Chairman

ATTEST:

s/Deborah S. (Debby) Gore, NCCCC
Clerk to the Board

VI. ADMINISTRATIVE REPORT

1. Planning – Board of Commissioners guidance regarding Planning Board Public Hearings, Mailed Notifications, and Newspaper Notifications (Leslie Bell)

Leslie Bell, Planning Director, explained that the Brunswick County Planning Board has expressed interest in inquiring if the Board of County Commissioners would like to continue the current practice of holding Public Hearings for rezoning and text amendments at the Planning Board level and prior to a recommendation to the Board of County Commissioners. Currently, NCGS 153A-344 requires that subsequent to initial adoption of the County's Unified Development Ordinance (UDO), all proposed amendments to either the UDO or zoning map shall be submitted to the Planning Board for review and comment *only*. Currently, the UDO requires a Planning Board Public Hearing. Both text amendments and rezoning are published once per week for two successive calendar weeks, with notice published the first time not less than ten (10) days nor more than twenty-five (25) days before the Public Hearing (special notification procedures are in place for military bases, where applicable). Advertising for rezoning provides notice but adds cost.

NCGS 153A-343 provides for the Board of Commissioners that whenever there is a zoning map amendment (e.g., rezoning) that the owner and adjacent property owners as shown on the county tax listing be notified via US mail, first class (except for a county-initiated zoning map amendment), at least ten (10) days but not more than twenty-five (25) days prior to the date of the Board of Commissioners' Public Hearing. However, when the map amendment directly affects more than fifty (50) properties owned by at least fifty (50) different property owners, the county may elect to notify property owners who reside in the general circulation area of a newspaper(s) by publishing a ½ page advertisement (minimum size) once a week for two (2) successive weeks, with first advertisement published not less than ten (10) days nor more than 25 days before the date of the Public Hearing. As customary, both the State Port Pilot and Brunswick Beacon are considered newspapers with a general circulation area of Brunswick County. Those property owners outside the general circulation area must be notified via first class US mail. The property(ies) subject to the rezoning also must be posted with a notice of the Public Hearing.

The Planning Board has continued the practice holding a Public Hearing since the adoption of zoning in 1994, notification via 1st class US mail while also advertising in the newspaper and typically not utilizing the alternative of ½ page advertisements, when this provision could be applied. The Board of Commissioners in 2007 opted for the alternative ½ page advertisement for those property owners residing in Brunswick County, when adopting the UDO. First class US mail provides notice and adds cost, while the ½ page advertisement may cost relatively less and does not require as much staff time to prepare.

At question is the following:

1. Is it the desire of the Board of Commissioners to have the Planning Board continue with current practice of holding Public Hearings (using NCGS statutes for Board of Commissioners' notification procedures) for both map and text amendments?
2. If so and in instances where the alternative published notification can be utilized, is it the Board of Commissioners' desire for the Planning Board to use this method instead of the 1st class US mailed notice, as notification of the Planning Board's Public Hearing?

If not, and in instances where the alternative published notification can be utilized, is it the Board of Commissioners' desire for the Board of Commissioners to use this alternative method instead of the 1st class US mailed notice?

After a short discussion Commissioner Williams moved to continue the process as currently administered. The vote of approval was unanimous.

1. (a) (Moved from Consent Agenda under Adjustments to the Agenda)

Planning – Proposed Re-Allocation of funding to replace existing single-wide mobile home located at 927 J-N-E-Lane, Shallotte with a donated stick-built home

Staff requests Reallocation of \$19,874 and an additional application of \$21,589 from unallocated CDBG Administrative funds to replace home at 927 J-N-E Lane in Shallotte.

Leslie Bell, Planning Director, requested Board approval in re-allocating the remaining balance (\$19,874) of \$20,699 approved by the Board of Commissioners on 07-May-12 and an additional \$21,589 to replace the existing single-wide mobile home located at 927 J-N-E Lane, Shallotte with a donated stick-built home.

Mr. and Mrs. Elbert Johnson was a 2009 Urgent Repair grant client whose 1980 single-wide mobile home received housing rehabilitation in the form of five windows, partially new siding and roof repair. The NC Housing Finance Agency Urgent Repair Grant offers specific housing repairs for life and health-threatening concerns to “special needs” homeowners who fall within established income limits. Due to poor workmanship based on the severity of the rehabilitation needed, the roof and windows have leaked, causing extensive damage and mold infestation inside the home. In 2009 and although \$20,699 was requested and approved by the Board of Commissioners to perform much more substantial work based on the lowest responsive bid submitted, it became clear that exploring the possibility of a replacement home seemed feasible based on the cost of additional repair, age of single-wide mobile home and Mrs. Johnson’s physical disability as a single-limb amputee. Additionally (and although), Mr. and Mrs. Johnson are on the Planning and Community Department’s Community Development Block Grant Scattered Site home replacement list, funding for this grant program during the last cycle has been reduced substantially by approximately fifty percent (50%) with a waiting list of seventeen (17) clients.

During the latter part of 2012 and following an extensive search by staff for alternative housing options for the Johnsons, the owner of the home located at 10164 Beach Drive SW in Calabash, NC indicated that she desired to donate her home to a family if re-locating costs were paid. The home has been inspected by the Johnson’s, Department staff, a contractor, and the Brunswick County Chief Building Inspector and found to be in good condition. The existing single-wide mobile home currently owned by the Johnson’s will be demolished while the stick-built home being donated will be relocated to 927 J-N-E Lane, Shallotte, NC, retrofitted and completed for move in by the Johnsons (estimated time frame is approximately 30 days). Vocational Rehabilitation of Wilmington, NC will be working with the clients and the Planning and Community Development Department to try to provide bathroom rehabilitation, as needed, at no cost to Brunswick County.

All funds being requested (estimated budget and bids/quotes attached) are from unallocated administrative closed grant funds (104907-439911) and follow the existing policy of reinvesting these funds due to good stewardship and budgeting back into the program to assist local citizens with housing needs and emergency housing repair. Request also includes twenty percent (20%) contingency.

Commissioner Sykes questioned if these grants allow a first mortgage and asked how funds were allocated indicating the possibility of \$20,000 being spent on one home and later on, the family could sell the house and make a profit.

Mr. Bell discussed the grant process and requirements with the Board.

Commissioner Phillips moved to approve the request to reallocate \$19,874 and an additional application of \$21,589 from unallocated CDBG Administrative funds to replace home at 927 J-N-E Lane in Shallotte with the stipulation to place a lien on the property for the customary period of time required with other grants. The vote of approval was unanimous.

2. Engineering – Proposed Change Order #1 to the Contract with McArthur Construction (Britt Flora)

Staff recommends approving Change Order No. 1 to the Contract of McArthur Construction for the Old Shallotte Road Waterline Project to add the Green Bay Road Interconnect and the associated budget amendment and capital project amendment.

Britt Flora, Stormwater Engineer, requested approval of Change Order #1 on the Old Shallotte Road Waterline construction contract with McArthur Construction for construction of the Green Bay Road Interconnect. Change Order #1 will add \$329,553.28 to the original contract of \$833,449.17 for a total contract amount of \$1,163,002.45.

Ms. Flora explained that the Green Bay Road Interconnect includes the addition of approximately 6,550 linear feet of 12" waterline on Green Bay Road. The Green Bay Road Interconnect provides the necessary connection from Old Shallotte Road which is currently under construction to the existing system on US 17.

This interconnect was required due to a change in the original Old Shallotte Road design which had the waterline on Old Shallotte Road connecting into the existing system at NC 904. Due to the inability to gain an easement at this junction, the original design had to be abandoned between Green Bay Road and NC 904. In order to provide the necessary loop in the system the Green Bay Road Interconnect was designed and permitted.

The unit prices from McArthur Construction's Old Shallotte Road low bid were used to determine the amount of the change order. The net change in the contract amount is \$329,553.28. County Staff recommends approval of Change Order #1 and authorize the Chairman to execute the change order.

Water Capital Reserve Fund

Revenues:

Transfer from Water Fund	419800-398661	\$(300,000)
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Expenditures:

Undesignated Funds	419800-464299	\$60,000
Old Shallotte, Green Bay	419800-464406	\$(360,000)

Water Capital Projects Fund

Revenues:

Transfer from Water Reserve	418261-398661	\$300,000
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Expenditures:

Eng/Arch/Legal	418261-464001	\$(40,000)
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Construction 418261-464002 \$340,000

The budget amendment above is to transfer \$300,000 of reserve funds designated for Old Shallotte/Green Bay Waterline to the Old Shallotte/Green Bay capital project for award of the proposed construction contract. Reserve funds of \$60,000 originally designated for the project are transferred to the undesignated reserve and may be appropriated by the commissioners in the future.

**County of Brunswick, North Carolina
Brunswick County Water Capital Project Fund**

Be it ordained by the Board of County Commissioners of Brunswick County that pursuant to Section 13.2 of the General Statutes of North Carolina, the following ordinance is hereby adopted:

Section 1. The following amounts are hereby appropriated in the Brunswick County Water Capital Project Fund:

Water Capital Project Fund:

Revenues:

Transfer from Water Fund	<u>\$1,316,295</u>
Total Water Capital Project Fund Revenues	\$1,316,295

Expenditures:

Arch/Eng/Legal	\$136,295
Construction	<u>\$1,180,00</u>
Total Water Capital Project Fund Expenditures	\$1,316,295

Section 2. The following amounts are hereby appropriated in the Brunswick County Water Fund:

Contributions to the Capital Project Fund	\$1,316,295
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Section 3. It is estimated that the following revenues will be available in the Brunswick County Water Fund:

Current Funds Appropriated	\$1,316,295
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Section 4. This Capital Project Ordinance shall be entered into the minutes of the March 18, 2013 meeting of the Brunswick County Board of Commissioners.

Chairman Norris moved to approve Change Order No. 1 to the contract of McArthur Construction and the associated budget amendment and capital project ordinance. The vote of approval was unanimous.

3. Public Utilities – Proposed Contract Amendment #1 with HDR Engineering, Inc. of the Carolinas in the amount of \$106,200 (Jerry Pierce)

Staff recommends approving Contract Amendment No. 1 with HDR Engineering, Inc. of the Carolinas.

Jerry Pierce, Utility Operations Director, requested approval of Contract Amendment No. 1 with HDR Engineering, Inc. of the Carolinas in the amount of \$106,200 for the design and construction administration services associated with the pump station and force main improvements needed to divert wastewater from the Ocean Ridge Wastewater Treatment Plant to

the Ocean Isle Beach Wastewater Treatment Plant and authorize the Chairman to execute the contract for the county.

Mr. Pierce explained that with acquisition of the Ocean Isle Beach Wastewater Treatment Plant, the county can divert the wastewater that is now treated at the Ocean Ridge Wastewater Treatment Plant to the Ocean Isle Beach Wastewater Treatment Plant. This would allow the county to take the Ocean Ridge Wastewater Treatment Plant out of service and ultimately turn it back over to the former owner or remove the plant.

The proposed contract includes the design of a 12" sewer force main from the existing Castlebrook Sewer Pump Station to the Ocean Isle Beach Wastewater Treatment Plant and the upgrading of the Castlebrook Sewer Pump Station so the pump station can achieve the minimum velocity in the 12" sewer force main. The contract amendment also includes construction administrative services and limited construction inspection. The primary construction inspection will be performed by county staff. Total cost of the contract including design, permitting, survey, construction administration, and inspection is \$106,200.

Commissioner Phillips moved to approve Contract Amendment No. 1 with HDR Engineering, Inc. of the Carolinas in the amount of \$106,200. The vote of approval was unanimous.

4. Finance – February 2013 Financial Report (Ann Hardy)

Staff recommends Receive Financial Report for February 2013 as information.

General Fund

Presented on the Brunswick County Government website is a schedule of revenues and expenditures-budget and actual for the General Fund for the period ended 2/28/13 on the cash basis with comparative actual amounts for the period ended 2/29/12.

Total revenues for the General Fund at 2/28/13 are \$133.7 million compared to \$129.1 million at 2/29/12 for an increase of \$4.6 million or 3.6%. Total revenues collected are 88% of the amended budget for the fiscal year.

Total expenditures for the General Fund at 2/28/13 are \$92.6 million compared to \$92.1 million at 2/29/12 for an increase of \$0.5 million or 0.5%. Total expenditures are 59.9% of the budget for the fiscal year.

Fiscal year-to-date revenues are greater than total expenditures by \$41.2 million compared to \$37.0 million in the prior year for a net \$4.2 million or 11.2% improvement.

Transfers into the general fund at 2/28/13 are \$0.8 million compared to transfers out to other funds of \$0.4 million at 2/29/12 for a net improvement of \$1.2 million.

Revenues and net transfers are greater than expenditures at 2/28/13 are \$41.9 million compared to \$36.8 million at 2/29/12 for a net improvement of revenues and transfers greater than expenditures of \$5.1 million or 14%.

Water Fund

Presented on the Brunswick County Government website is a schedule of revenues and expenditures-budget and actual and changes in fund balance for the Water Fund for the period ended 2/28/13 on the cash basis with comparative actual amounts for the period ended 2/29/12.

Total revenues for the Water Fund at 2/28/13 are \$14.4 million compared to \$14.4 million at 2/29/12 for no change. Total revenues are 72% of the budget for the fiscal year.

Total expenditures for the Water Fund at 2/28/13 are \$10.1 million compared to \$14.2 million at 2/29/12 for a decrease of \$4.1 million or 28.8% due to the refunding of the USDA loan on the Boiling Spring Lakes water system. Expenditures are 54% of the budget for the fiscal year.

Total fiscal year-to-date revenues are greater than total expenditures by \$4.3 million as compared to \$0.2 million in the prior year for a net improvement of \$4.1 million mainly due to the USDA refinancing. Net transfers to other funds are \$3.6 million as of 2/28/13 compared to \$0.6 million at 2/29/12.

Revenues and net transfers are greater than expenditures at 2/28/13 are \$0.7 million compared to \$0.8 million at 2/29/12 for a little change from the prior year.

Wastewater Fund

Presented on the Brunswick County Government website is a schedule of revenues and expenditures-budget and actual for the Wastewater Fund for the period ended 2/28/13 on the cash basis with comparative actual amounts for the period ended 2/29/12.

Total revenues for the Wastewater Fund at 2/28/13 are \$10.8 million compared to \$9.4 million at 2/29/12 for an increase of \$1.3 million or 14.3%. Total revenues are currently 53% of the budget for the fiscal year.

Total expenditures for the Wastewater Fund at 2/28/13 are \$7.7 million compared to \$7.5 million for an increase of \$0.2 million or 2.8%. Total expenditures are currently 36% of the budget for the fiscal year.

Revenues are greater than expenditures at 2/28/13 by \$3.1 million compared to \$2.0 million at 2/29/13 for an increase of \$1.1 million or 58%. The improvement is mainly due to collection of assessments. Net transfers in were \$1.2 million at 2/28/13 compared to net transfers out of \$2.4 million at 2/29/12.

Key Indicators of Revenues and Expenditures

Presented on the Brunswick County Government website are charts with actual history, current month actual amounts and annual budget information for major revenues and expenditures in both the enterprise and general funds.

Cash and Investments

A Summary of Cash and Investments is presented on the Brunswick County Government website as of 2/28/13 reports that the County had \$172.2 million of unrestricted cash and investments in all funds including those accruing for outside agencies that the county performs collections plus \$17.5 million of capital project restricted cash from debt proceeds. All cash and investments are earning an average yield of 0.15%.

The various unaudited financial reports were received as information and no action was taken.

5. Administration – Proposed Resolution approving the Memorandum of Understanding and Authorizing Brunswick County’s Participation in the Grand Strand Area Transportation Study Metropolitan Planning Organization (Marty Lawing)

Marty Lawing, County Manager, requested approval of a Resolution Approving the Memorandum of Understanding for Cooperative, Comprehensive and Continuing Transportation Planning Between the Town of Calabash, Town of Carolina Shores, Town of Holden Beach, Town of Ocean Isle Beach, Town of Shallotte, Town of Sunset Beach, Town of Varnamtown, County of Brunswick, the Grand Strand Area Transportation Study, The Waccamaw Regional Council of Governments, the South Carolina Department of Transportation, and the North Carolina Department of Transportation in Cooperation with the United States Department of Transportation.

As the result of the 2010 Decennial Census, the United States Census Bureau expanded its Myrtle Beach - Socastee urban area to include coastal portions of North and South Carolina. The Grand Strand Area Transportation Study (GSATS) has been the Metropolitan Planning Organization (MPO) for the Myrtle Beach area since 1992. The Waccamaw Regional Council for Governments, headquartered in Georgetown, South Carolina serves as the administrative support agency for GSATS. The purpose of the MPO is to provide comprehensive, cooperative and continuing transportation planning in urbanized areas.

In the summer of 2012 representative from the Waccamaw Regional Council of Governments and NCDOT coordinated a series of meetings with county and municipal officials from the southeastern and southwestern areas of Brunswick County to assess the level of interest from each jurisdiction in membership the GSATS MPO. The local governments in Brunswick County that have agreed to be participants in the GSATS MPO include the Town of Calabash, Town of Carolina Shores, Town of Holden Beach, Town of Ocean Isle Beach, Town of Shallotte, Town of Sunset Beach, Town of Varnamtown and Brunswick County. The addition of these municipalities and the associated unincorporated areas linking them provide a logical area to be added to the GSATS MPO for transportation planning purposes. The planning area may be periodically assessed and revised in the future.

The goals of the GSATS Policy Committee are to:

1. Expand its Planning Area to incorporate newly designated Urbanized Area as deemed appropriate by the NCDOT, SCDOT, FHWA and participating North Carolina Communities.
2. Foster a process that provides for local review and consideration of projects and plans while ensuring a decision making process that considers regional implications, and
3. To expand its membership to provide representation for North Carolina Communities that desire to participate in the GSATS MPO.

The GSATS MPO consists of three committees, a Policy Committee, Transportation Advisory Committee and the Technical Coordinating Committee. The Policy Committee shall consist of twenty four (24) voting members, twenty (20) representing the South Carolina portion of the Planning Area and four (4) representing the North Carolina portion of the Planning Area. Two of these members shall be appointed by the GSATS-North Carolina Transportation Advisory Committee from its membership and the Brunswick County Board of Commissioners shall appoint one (1) member from its board and the North Carolina Department of Transportation shall appoint one (1) member from the North Carolina Board of Transportation. The duties of the GSATS Policy Committee include; development, review and approval of the Transportation Improvement Program (TIP) and the Metropolitan Transportation Plan (MTP), review and approve the Congestion Management Process, establish goals and objectives for the transportation planning process that consider and are responsive to comprehensive plans for growth and development in the MPO Planning Area, keep local government boards informed of the status and requirements of the transportation planning process, review and recommend changes to the Federal-Aid Functional Classification System and the MPO's Metropolitan

Planning Area Boundary and review and approve related air quality planning in conformance with federal regulations if the Planning Area becomes non-attainment for air quality. The GSATS Policy Committee bylaws shall be amended as soon as practicable to reflect the changes necessary to due to the addition of the North Carolina portion of the Planning Area.

The GSATS-North Carolina Transportation Advisory Committee will consist of fourteen (14) voting members including two (2) from Brunswick County, two (2) from the Town of Shallotte, one (1) from the other municipal members, one (1) from the Brunswick Transit System one (1) from the NCDOT, one (1) from the North Carolina House of Representatives (District 17) and one (1) from the North Carolina Senate (District 8). The duties and responsibilities of the TAC include: to keep boards of general purpose local government informed of the status and requirements of the transportation planning process, review and recommend for approval to the GSATS Policy Committee the Transportation Improvement Program, Metropolitan Transportation Plan, Federal-Aid Urban System and Urbanized Boundary, Metropolitan Planning Boundary and other matters referred to it by the GSATS Policy Committee affecting the North Carolina portion of the Planning Area.

The GSATS-North Carolina Technical Coordinating Committee shall include technical representation from all local, state, and federal agencies and shall consist of fourteen (14) members, including one (1) from the county and each of the member municipalities, the Brunswick Transit System, the Cape Fear COG, and one (1) member from the Federal Highway Administration, NCDOT (Division 3), NCDOT (Planning Branch) and the Waccamaw Regional Council of Governments. The duties and responsibilities of the Technical Coordinating Committee include: general review, guidance and coordination of the transportation planning process for the planning area, recommendation for approval of the Comprehensive Transportation Plan, Prospectus, Transportation Improvement Program, Metropolitan Transportation Plan, Federal-Aid Urban System and Urbanized Boundary and other matters referred to it by the GSATS Advisory Committee or Policy Committee, and promoting citizen participation and preparing and reviewing reports for transportation studies.

The Waccamaw Regional Council of Governments will serve as the lead planning agency and provide administrative coordination for the Policy Committee, Transportation Advisory Committee and the Technical Coordinating Committee.

This Memorandum of Understanding does not address local funding or matches to federal and state grants. The participation by any subscribing agency may be terminated by giving sixty days written notice to the other parties prior to the date of termination.

**RESOLUTION PASSED BY THE BOARD OF COMMISSIONERS OF THE
COUNTY OF BRUNSWICK, NORTH CAROLINA**

WHEREAS, it is recognized that the proper movement of travel within and through the Myrtle Beach-Socastee SC/NC urbanized area is a highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Myrtle Beach-Socastee SC/NC urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Myrtle Beach-Socastee SC/NC urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a Memorandum of Understanding between the Town of Calabash, Town of Carolina Shores, Town of Holden Beach, Town of Ocean Isle Beach, Town of Shallotte, Town of Sunset Beach, Town of Varnamtown, County of Brunswick, the Grand Strand Area Transportation Study, the Waccamaw Regional Council of Governments, the South Carolina Department of Transportation, and the North Carolina Department of Transportation in cooperation with the United States Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BRUNSWICK, NORTH CAROLINA:

That the Memorandum of Understanding between the Town of Calabash, Town of Carolina Shores, Town of Holden Beach, Town of Ocean Isle Beach, Town of Shallotte, Town of Sunset Beach, Town of Varnamtown, County of Brunswick, the Grand Strand Area Transportation Study, the Waccamaw Regional Council of Governments, the South Carolina Department of Transportation, and the North Carolina Department of Transportation in cooperation with the United States Department of Transportation, be approved and that the Chairman and County Clerk are hereby directed to execute the Memorandum of Understanding.

This the 18th day of March, 2013.

s/Phil Norris, Chairman
Brunswick County Commissioners
Attest:
s/Deborah S. (Debby) Gore, NCCCC
Clerk to the Board

Chairman Norris moved to approve the Resolution. The vote of approval was unanimous.

6. Technology Study Update (Steve Randone)

Steve Randone, MIS/GIS Director, presented the Information Technology Strategic Plan 2013-2018. Mr. Randone stressed that this is a living document to be continually reviewed and changed due to changes in technology, missions and updates, budget restraints, project delays and/or early completions.

The intent of the study is to provide directional focus necessary to align the Information Technology Department with the Commissioners Goals and Objectives and will continue throughout the year with the assistance of the I.T.S.C. (Information Technology Steering Committee). Mr. Randone presented and discussed computer comparisons, current MIS projects, the need for additional staffing and building facilities, scanning and imaging and policies.

The Board recognized the efforts of IT staff in preparing the document informing that all aspects of the presentation will be taken into consideration in the budget process.

7. Parks & Recreation – Eastern Environmental Inc. Service Agreement (Jim Pryor) (Moved from Consent Agenda under Adjustments to the Agenda)

Staff requests approving the service agreement with Eastern Environmental, Inc.

Steve Stone, Assistant County Manager and Jim Pryor, Parks and Recreation Director, explained that environmental assessment was performed at Cedar Grove Park field house to determine mold spore levels within the conditioned spaces due to evidence of mold growth. An executive summary was provided for review in the packet. During the assessment, air and surface samples were collected for testing. Conclusions generated from the assessment were that floor and ceiling tiles in the restrooms and concession areas have mold growth. The indoor mold growth has resulted in excessive levels within the ambient air. The growth identified is considered to be a strong allergen and areas impacted should not be used until proper remediation is done to restore

acceptable environmental conditions. Removal of water and/or mold damaged material should be performed by a qualified remediation professional. Further corrective measures should be taken to further impede growth. Proposals were received for remediation, based on the findings outlined in the assessment.

Staff recommends the proposal provided by Eastern Environmental, Inc. (EEI), for \$19,487.00 with an alternate plan in place for removing and disposing of wall board or sheetrock where needed, that was not exposed during the initial assessment for \$2,500. The county has worked with EEI on projects of this type in the past successfully, where minimal disruption to park activities and employees were achieved.

Adequate unencumbered funds exist in the operation services budget to fund the recommended proposal. A budget transfer is recommended to be made from repair and maintenance equipment 104280-435200 to repair and maintenance building 104280-435100 in the amount of \$22,000.

Staff recommends approval to enter into a service agreement with Eastern Environmental, Inc. for mold remediation at Cedar Grove field house and approve the necessary budget transfer.

Commissioner Sykes voiced concerns regarding the cost of mold remediation with no guarantee, the fact that this is a \$300,000 building not even three years old and that an engineering study did not identify humidity control matters.

Other discussion involved the need for an internal review of plans to ensure that there will not be any potential problems with this type of project.

Commissioner Phillips thanked staff for addressing water issues that contribute to mold and moved to approve the Service Agreement with Eastern Environmental, Inc. The vote of approval was unanimous.

VII. BOARD APPOINTMENTS

1. Economic Development Commission (District 4 appointment)

Commissioner Phillips nominated Donald Ray Long. Chairman Norris moved to close the nominations. The vote of approval was unanimous. Commissioner Phillips moved to approve the appointment of Mr. Long. The vote of approval was unanimous.

Donald Ray Long was reappointed to serve another three-year term that will expire on March 1, 2016.

2. Equalization & Review (District 2, & District 5 appointment)

Commissioner Williams nominated Grace Beasley and Chairman Norris nominated Bertha Bell. Chairman Norris moved to close the nominations. The vote of approval was unanimous.

Chairman Norris moved to approve the appointments of Ms. Beasley and Ms. Bell. The vote of approval was unanimous.

Grace Beasley and Bertha Bell were reappointed to serve another two-year term that will expire on April 1, 2015.

3. Marine Fisheries Advisory Board (District 3 appointment)

Commissioner Sykes nominated Jerry Dilsaver. Chairman Norris moved to close the nominations. The vote of approval was unanimous. Chairman Norris moved to approve the appointment of Mr. Dilsaver. The vote of approval was unanimous.

Jerry Dilsaver will fill the expired two-year term of Marvin Martin that will expire on February 1, 2015.

VIII. COUNTY ATTORNEY'S REPORT

There were no items to discuss.

IX. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business to discuss.

X. ADJOURNMENT

Commissioner Phillips moved to adjourn the Regular Meeting at 8:33 p.m. The vote of approval was unanimous.

Phil Norris, Chairman

Deborah (Debby) Gore, NCCCC
Clerk to the Board